

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

**MEDIATOR BIOGRAPHICAL SKETCH AND FEE STRUCTURE**

**NAME:** JOHN ADAM KERNS, JR.  
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- I. PROFESSION / JURISDICTION / DATES OF ADMISSION  
ATTORNEY / 1976  
SEE ATTACHED RESUME
- II. PROFESSIONAL ORGANIZATIONS / DATES OF ADMISSION / STATUS  
ABA / PABA / PHILABA / NAT-LBA / SPIDR-ACR / PA COUNSEL MEDIATORS /  
MD DISPUTE RESOLUTION COMMISSION B VARIOUS DATES B SOME ACTIVE  
SEE ATTACHED RESUME
- III. GENERAL PROFESSIONAL EXPERIENCE  
US ATTORNEYS OFFICE / 2 JUDICIAL CLERKSHIPS / TRIAL ATTORNEY W/ PLAINTIFF-S FIRM /  
ALLSTATE & FIREMAN-S FUND INSURANCE COMPANIES / DEPUTY CITY SOLICITOR  
SEE ATTACHEDE RESUME
- IV. EXPERIENCE AND FAMILIARITY WITH BANKRUPTCY LAW  
HANDLED ONE MATTER IN USBC-EDPA IN 1980-S / TRAINED FIRST 30 MEDIATORS IN  
USBC-EDPA IN 1994 / MEDIATED BANKRUPTCY COURT CASES  
MEDIATOR B USBC-EDPA, SDNY, DE & MD  
SEE ATTACHED RESUME
- V. MEDIATION TRAINING:  
FACILITATIVE AND TRANSFORMATIVE B OVER 140 HOURS  
SEE ATTACHED TRAINING RESUME
- VI. MEDIATION EXPERIENCE:  
ALMOST 1,000 MEDIATIONS IN 28 STATES AND THE DISTRICT OF COLUMBIA  
SEE ATTACHED RESUME

- VII. AREA OF EXPERTISE:  
NEGLIGENCE, PRODUCT LIABILITY, MALPRACTICE, CONSTRUCTION,  
ENVIRONMENTAL, CIVIL RIGHTS, EMPLOYMENT, COMMERCIAL, CONTRACT,  
BANKRUPTCY, SECURITIES, LEMON LAW, MUNICIPAL TORT CLAIMS & WORKER'S  
COMPENSATION  
SEE ATTACHED RESUME
- VIII. GENERAL PERTINENT BUSINESS OR LEGAL EXPERIENCE  
TEMPLE UNIVERSITY - BBA **B** ECONOMICS / MBA **B** MARKETING & STATISTICAL  
ANALYSIS / JD / COMPLETED 2/3RD OF LLM **B** LABOR LAW  
WORKED FOR TWO BANKS **B** MARKETING DEPARTMENT & MARKETING CONSULTING  
FIRM.  
SEE ATTACHED RESUME
- IX. OTHER PERTINENT INFORMATION  
ARBITRATOR FOR THE CREDIT CARD INDUSTRY  
ARBITRATOR FOR THE SECURITIES INDUSTRY  
SEE ATTACHED RESUME
- X. FEE STRUCTURE  
\$300.00 HOURLY RATE  
NO CHARGE FOR EXPENSES UNLESS STAY AT HOTEL BECOMES NECESSARY FOR  
MULTIPLE DAY MEDIATIONS  
NO CHARGE FOR TRAVEL TIME IF MEDIATION IS AT LEAST 4 HOURS IN LENGTH

**MEDIATOR / ARBITRATOR / REFEREE / JUDGE PRO TEM / SPECIAL MASTER**

**JOHN ADAM KERNS, JR., ESQUIRE**

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E-Mail: [neutraljohn@netzero.net](mailto:neutraljohn@netzero.net) / [neutraljohn@att.net](mailto:neutraljohn@att.net)

Education: Temple University B BBA (Economics) -69, JD -76, MBA (Marketing) -77 & completed 2/3rds LLM (Labor).

Admitted B Pennsylvania, Supreme Court of the United States, 3<sup>rd</sup> Circuit Court of Appeals and USDCB EDPA.

Employment: Law School B Senior Law Clerk B Philadelphia United States Attorney-s Office (1974-1976). Law Clerk B Judge Ethan Allen Doty B Supervising Judge B Compulsory Arbitration Program B Philadelphia Court of Common Pleas (1977-1983); and Judge Joseph I. Papalini (1992). Represented Plaintiffs B associated with Milton M. Borowsky (Admiralty/Airplane Crash Litigation). Represented Defendants B Staff Counsel B Allstate and Fireman-s Fund Insurance Companies and as Deputy City Solicitor B City of Philadelphia (Major Trial Division). Current Practice B extremely limited (virtually all cases referred out) representing Plaintiffs/individual Defendants. He has litigated thousands of Negligence, Automobile, Slip & Fall, Dog Bite, Product Liability, Medical and Veterinarian Malpractice, Construction, Admiralty, Civil Rights, Municipal Tort Claims Act, Worker-s Compensation, No-Fault, Errors and Omissions and Traffic Court matters.

Professional Affiliations: Past/Present member B SPIDR, PA Counsel of Mediators, various Dispute Resolution Committees B ABA/Federal/State/County Bar Associations and Maryland Dispute Resolution Commission B Professional Responsibility Committee.

Neutral Services: Judge Pro Tempore (1996-Present), Settlement Master (1992-1996) - Philadelphia Court of Common Pleas.

Referee: Private Adjudication Center, Inc. (PAC) Dalkon Shield Claimant-s Trust Arbitration Program B Duke University School of Law (1995-1997). Condemnation Commissioner: Delaware Superior Court B Kent County (2000 B Present)

Arbitrator (only): over 1,000 cases B (PA, NH, MA, NY, NJ, MD, DE, VA, WV, NC, SC, GA, FL, AL, MS, MI, OH, ND, MN, WI, IA, NE, OK, MO, KS, LA, TX, UT, CO, AZ, NV, WA, OR & CA) Plaintiff/Neutral/Defense Arbitrator B Uninsured/Under-Insured Motorist cases (Appointed B Court Order or by agreement), American Arbitration Association (AAA) (Commercial/Construction)(1985-2001 Dropped from List), American Stock Exchange (AMEX), Philadelphia Stock Exchange (PHLX), Chicago Board Options Exchange (CBOE), Chicago Mercantile Exchange (CME), New York Mercantile Exchange (NYMEX) and National Futures Association (NFA).

Arbitrator and Mediator: THE PEACEMAKERS, National Arbitration Forum (NAF), Resolution Resources Corporation, Atlanta GA, Settlement Systems, Inc, U.S. Arbitration & Mediation of the Northeast, Inc. (Trained B Basic/Advanced Mediator) (also Neutral Evaluator) (Representative 1991, Director of Mediation 1993-1998) (1988-2000 Resigned) (USA&M), National Association of Securities Dealers (Trained B Panel/Chairperson) (NASD), New York Stock Exchange (NYSE), Pacific Stock Exchange (PSE) and Pennsylvania Bar Association B Lawyer Dispute Resolution Program (Trained) (LDRP) (Law Firm Breakup/Fee Disputes Between Attorneys) (Project Director 1991-1993), USDC-EDPA and Philadelphia Court of Common Pleas.

Mediator (only): almost 1,000 cases B (PA, NY, NJ, MD, DE, VA, WV, NC, SC, GA, FL, AL, MS, LA, MI, OH, IN, IL, MN, IA, TN, OK, TX, WY, CO, NM, NV, CA & District of Columbia) ADR Systems of America, USDCBNDIL B Lanham Act Trademark Cases, Bankruptcy Court B EDPA, SDNY, EDNY, DE & MD, Equal Employment Opportunities Commission (Trained) (EEOC B Office of Equal Opportunity, Philadelphia, Atlanta, Charlotte, New Orleans, Albuquerque, Los Angeles, Birmingham & Washington, DC Offices), United States Postal Service B REDRESS PROGRAM (Trained) (USPS B Allegheny, NY, Capital, Mid-Atlantic & Southeast Regions), U.S. Department of Justice (DOJ) through the Keybridge Foundation (Trained) B The Americans With Disabilities Act (ADA), National Archives & Records Administration, The Resolution Group, Dallas, TX, USDA-Rural Development B NJ, World Bank Group (Trained) (WBG) and Philadelphia Bar Association B Lawyer/Fee Dispute Program. In addition, he has assisted in and trained over 200 Mediators and has served as

**an Instructor to thousands of Judges, Court Administrators, Attorneys, Risk Managers and Claims Representatives in the Mediation Process, Negotiation Skills and Ethics.**

**State Certifications/Approvals - Mediation: DE (Superior Court/Court of Chancery B All Counties;), MD (Circuit Court B 24 Counties/20 Acceptances/4 Applications Pending), NJ (Superior Court B All Counties), NY (Supreme Court Commercial Division B Manhattan) and PA (Common Pleas Court B Philadelphia).**